

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DELBERT GREENE,

Plaintiff(s),

v.

STATE OF NEVADA, et al.,

Defendant(s).

Case No. 2:23-cv-01946-APG-NJK

**ORDER**

[Docket Nos. 11, 19]

Pending before the Court is Plaintiff's motion for sanctions pursuant to Rule 11 of the Federal Rules of Civil Procedure. Docket No. 11. Defendants filed a response. Docket No. 16. Also pending before the Court is Defendants' motion for clarification. Docket No. 19. No response was filed.

The Court begins with Defendants' motion for clarification (Docket No. 19), which questions whether Plaintiff's earlier motion for judge's ruling (Docket No. 17) is a reply brief to the motion for sanctions (Docket No. 11) or a separate motion. Docket No. 19 at 3-5. The Court interprets the subject portion<sup>1</sup> of that earlier filing to be a reply brief and has considered it in rendering the ruling below. Defendants' motion for clarification will be granted to that effect.

As to the motion for sanctions, Plaintiff alleges that defense counsel engaged in sanctionable conduct by coordinating with local government attorneys, who filed a motion in state court to amend Plaintiff's criminal judgment. *See, e.g.*, Docket No. 11 at 10-12; *see also* Docket No. 17 at 2-3. District courts do not generally have the power to sanction conduct that occurred in a different court in a different case. *See Trullis v. Barton*, 107 F.3d 685, 694 (9th Cir. 1995); *see also 8Speed8, Inc. v. Snell & Wilmer, LLP*, 2018 WL 1230527, at \*2 (D. Nev. Mar. 9, 2018). Plaintiff has failed to provide legal authority that this Court has the authority to impose sanctions

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<sup>1</sup> The Court expresses no opinion on the issue of consolidation that is also raised in Docket No. 17.

1 for a filing in a different case in state court.<sup>2</sup> Moreover, Plaintiff has not shown any Rule 11  
2 violation occurring in this case in this Court. Plaintiff's motion for sanctions will be denied.

3 Accordingly, for the reasons stated above, Plaintiff's motion for sanctions (Docket No. 11)  
4 is **DENIED** and Defendants' motion for clarification (Docket No. 19) is **GRANTED** as stated  
5 above.

6 IT IS SO ORDERED.

7 Dated: December 6, 2024

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Nancy J. Koppe  
United States Magistrate Judge

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<sup>2</sup> In light of this ruling, the Court does not opine on the arguments as to the propriety of the District Attorney's state court motion.